

Cote, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RFP LLC,

Plaintiff / Counterclaim Defendant,

v.

10 Civ. 8159 (DLC)

SCVNNGR, INC.,

Defendant / Counterclaim Plaintiff.

SCVNNGR, INC.,

Third-Party Plaintiff,

v.

STIPULATION AND
~~PROPOSED~~ ORDER
REGARDING
EXTENSION OF TIME
TO FILE OPPOSITION
TO MOTION TO
DISMISS AND TO FILE
REPLY

BARRY ROSENBLoom,

Third-Party Defendant.

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant/Counterclaim

Plaintiff/Third-Party Plaintiff SCVNNGR, Inc. ("SCVNNGR"), Plaintiff/Counterclaim Defendant RFP LLC ("RFP"), and Third-Party Defendant Barry Rosenbloom ("Rosenbloom") (collectively, the "Parties") do hereby stipulate and agree that (1) SCVNNGR shall have up to and including January 27, 2011 to file an opposition to RFP and Rosenbloom's Motion to Dismiss SCVNNGR, Inc.'s Third and Fourth Counterclaims and Third-Party Complaint (Doc. #14); and (2) RFP and Rosenbloom shall have up to and including February 10, 2011 to file their reply to SCVNNGR's opposition.

As grounds for this stipulation and proposed order, the Parties state that due to the holiday season, SCVNNGR requires an additional 14 days to oppose RFP and Rosenbloom's Motion to Dismiss and RFP and Rosenbloom require an additional 7 days to file a reply. Pursuant to 1(E) of this Court's Individual Practices in Civil Cases, the Parties also state the

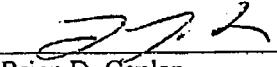
following: (1) RFP and Rosenbloom filed their Motion to Dismiss on December 30, 2010; (2) under Local Civil Rule 6.1(b), SCVNNGR has up to and including January 13, 2011 to oppose the Motion to Dismiss and RFP and Rosenbloom have up to and including January 20, 2011 to file a reply; and (3) the Parties have filed one previous request for an extension of time (Stipulation and [Proposed] Order Regarding Acceptance of Service of Process and Extension of Time to Respond to Counterclaims and Third-Party Complaint) which was granted (Doc. #9). Accordingly, the Parties hereby request that SCVNNGR's deadline to file its opposition to RFP and Rosenbloom's Motion to Dismiss be extended to January 27, 2011 and that RFP and Rosenbloom's deadline to file their reply be extended to February 10, 2011.

This stipulation is submitted without prejudice to any claims or defenses available to SCVNNGR, RFP, or Rosenbloom under the Federal Rules of Civil Procedure or other applicable law.

So ordered:

*James Cole
1/3/11*

Respectfully submitted,

By: 

Brian D. Caplan
Jonathan J. Ross
CAPLAN & ROSS, LLP
270 Madison Avenue, 13th Floor
New York, New York 10016
(212) 973-9376

Attorneys for Plaintiff/Counterclaim
Defendant RFP LLC and Third-Party
Defendant Barry Rosenbloom

By: 

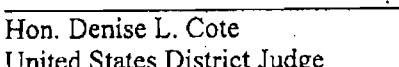
Julia Huston (admitted *pro hac vice*)
Brian P. Bialas (admitted *pro hac vice*)
FOLEY HOAG LLP
155 Seaport Blvd.
Boston, Massachusetts 02210
(617) 832-1000

Gregory P. Gulia
Vanessa C. Hew
DUANE MORRIS LLP
1540 Broadway
New York, New York 10036
(212) 692-1000

Attorneys for Defendant/Counterclaim
Plaintiff/Third-Party Plaintiff
SCVNGR, Inc.

Dated: January 6, 2011

SO ORDERED this ____ day of _____, 2011:


Hon. Denise L. Cote
United States District Judge

